

REMARKS

The Office Action dated June 4, 2002 has been thoroughly reviewed and the Examiners comments carefully considered. Claims 1-3 and 7 have been amended. Claims 12 and 13 have been canceled. Claims 14-17 have been added. Thus, claims 1-11 and 14-17 are pending and are submitted for consideration by the Examiner.

Objections

The Examiner has failed to address Applicant's response and continues to state that "Applicant is required to amend the disclosure to include the material incorporated by reference." Applicant continues to traverse this requirement because the material incorporated by reference is not essential material as defined in MPEP 608.01(p). The Examiner has tacitly admitted this fact by failing to reject any of the claims under 35 U.S.C. §112, first paragraph. Withdrawal of the objection is respectfully requested.

The Examiner objects to the specification as failing to provide proper antecedent basis for the claimed subject matter (i.e. positioning sensor). The phrase "position sensor" appears on page 2 of the application. Withdrawal of the objection is respectfully requested.

35 U.S.C. § 112 Rejection

Claims 1-4 are rejected under 35 U.S.C. § 112, second paragraph as indefinite. Amendments to the claims have been made where appropriate. Reconsideration and withdrawal of the rejection is respectfully requested.

Prior Art Rejection

Claims 1-11 are rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,161,891 (Blakesley). The rejection should be withdrawn because Blakesley fails to disclose, teach or suggest the claimed invention.

For example, Blakesley fails to disclose, teach or suggest a seat weight measuring apparatus wherein the seat is mounted to the vehicle body by a mounting structure that permits movement of the seat in response to the load applied to the seat "so that a part of the load applied to the seat is not measured by any load sensor" as called for in claims 1, 3 and 7. Blakesley discloses a seat weight sensor having four sensors through which the entire load

applied to the seat is transferred. (See Blakesley at col. 4, lines 3-4). Blakesley fails to disclose, teach or suggest a mounting structure that provides for a part of the load applied to the seat not to be measured by a load sensor, as called for in claims 1, 3, and 7. Thus, independent claims 1, 3, and 7 are believed to be patentable over the cited references. Reconsideration and withdrawal of the rejections is respectfully requested.

Claims 2, 4-11 and 14-17 depend from claims 1, 3 or 7 and are allowable therewith without regard to the further patentable limitations contained in these dependent claims.

Conclusion

In view of the foregoing amendments and remarks, Applicants believe that the application is now in condition for allowance. An early Notice of Allowance is respectfully requested. If there are any questions regarding the prosecution of this application, the Examiner is invited to contact the undersigned attorney at the phone number listed below.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

1. (Twice Amended) A seat weight measuring apparatus, applied to a seat that is mounted to a vehicle body, for measuring the weight of a passenger sitting on the seat, comprising: at least one load sensor, installed at a location at which the seat is mounted to the vehicle body, for measuring a part of a load applied to the seat; [and a fulcrum configured to support] wherein the seat is mounted to the vehicle body by a mounting structure that permits movement of the seat in response to the load applied to the seat so that a part of the load applied to the seat [that] is not measured by any load sensor.

3. (Twice Amended) A seat weight measuring apparatus, applied to a seat that is mounted to a vehicle body, for measuring the weight of a passenger sitting on the seat, comprising:

at least one load sensor, installed at one of left and right sides of a seat frame, for measuring a part of a load applied to the seat,

a restraining mechanism, connected to said seat frame, for limiting a force applied to said at least one load sensor, and

wherein the seat frame is mounted to the vehicle body by a mounting structure that permits movement of [a fulcrum connected to] the other of said left and right sides of said seat frame [and configured to support] relative to the vehicle body in response to the load applied to the seat so that a part of the load applied to the seat [that] is not measured by any load sensor.

7. (Amended) A seat weight measuring apparatus for measuring the weight of a passenger in a vehicle having a body, comprising:

a seat having four sides;

at least one load sensor, installed at one of said sides, for measuring a part of a load applied to the seat, and

wherein the seat is mounted to the vehicle body by a mounting structure that permits movement of an opposing one of the sides of the seat in response to the load applied to the

seat so that [a fulcrum connected to an opposing one of said sides and configured to support]
a part of the load applied to the seat [that] is not measured by any load sensor.